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12 United States of America

13
14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

CASE NO. 1:21-CR-00295-JLT SKO

17 Plaintiff,

STIPULATION VACATE TRIAL AND SET A
18 CHANGE OF PLEA, AND REGARDING
19 EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; FINDINGS AND ORDER

v.

DATE: November 14, 2023

ANDREW SATARIANO,

TIME: 8:30 a.m.

Defendant.

COURT: Hon. Jennifer L. Thurston

20
21 This case is set for a trial on November 14, 2023 and a trial confirmation hearing on October 30,
22 2023 at 10:00 a.m. The parties stipulate and request to vacate the trial, and convert the trial
23 confirmation hearing to a change of plea hearing on October 30, 2023 at 10:00 a.m.

24 **STIPULATION**

25 Plaintiff United States of America, by and through its counsel of record, and defendants, by and
26 through defendants' counsel of record, hereby stipulate as follows:

27 1. The parties executed a plea agreement in this matter on October 6, 2023, and filed it on
the same date.

28 2. By this stipulation, the defendant now moves to vacate the trial, and convert the trial
confirmation hearing to a change of plea hearing on October 30, 2023 at 10:00 a.m. The government
does not object.

3. Time has already been excluded through November 14, 2023. However, since the parties

1 are asking to vacate the trial date, the parties in an abundance of caution are also asking the Court to
2 make a finding that the ends of justice served by continuing the case as requested outweigh the interest
3 of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

4 a) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
5 et seq., within which trial must commence, the time period of October 6, 2023 to October 30,
6 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it
7 results from a continuance granted by the Court at defendant's request on the basis of the Court's
8 finding that the ends of justice served by taking such action outweigh the best interest of the
9 public and the defendant in a speedy trial.

10 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
11 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
12 must commence.

13 IT IS SO STIPULATED.

14 Dated: October 6, 2023

PHILLIP A. TALBERT
United States Attorney

15 /s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

16 Dated: October 6, 2023

17 /s/ Steven L. Crawford
Attorney for Defendant
ANDREW SATARIANO

18
19 FINDINGS AND ORDER

20 IT IS SO FOUND.

21 IT IS SO ORDERED.

22 Dated: October 10, 2023

23 
UNITED STATES DISTRICT JUDGE